

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., et al.,

Debtors.¹

Chapter 11

Case No. 24-12008 (TMH)

(Joint Administration Requested)

**NOTICE OF APPEARANCE AND
DEMAND FOR SERVICE OF NOTICES AND PAPERS**

PLEASE TAKE NOTICE that the attorneys set forth below hereby appear on behalf of Switch, Ltd. (“Switch”) and demand, pursuant to rules 2002, 9007 and 9010(b) of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy Rules**”) and sections 1109(b) and 342 of Title 11 of the United States Code (the “**Bankruptcy Code**”), that all notices given in the above-captioned cases and all papers served or required to be served in the above-captioned cases be given to and served upon the undersigned counsel at the addresses set forth below:

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PLEASE TAKE FURTHER NOTICE that the foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules, but also includes, without limitation, orders and notices of any

¹ The debtors and debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566.

application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral and whether transmitted or conveyed by mail, delivery, telephone, electronic mail or otherwise.

PLEASE TAKE FURTHER NOTICE that this appearance and demand for notice is neither intended as nor is it a consent of Switch to the jurisdiction and/or venue of the Bankruptcy Court nor, specifically, but not limited to, a waiver of (i) Switch's right to trial by jury in any proceeding so triable herein, or in any case, controversy or proceeding related hereto, (ii) Switch's right to have an Article III judge adjudicate in the first instance any case, proceeding, matter or controversy as to which a bankruptcy judge may not enter a final order or judgment consistent with Article III of the United States Constitution, (iii) Switch's right to have the reference withdrawn by the District Court in any case, proceeding, matter or controversy subject to mandatory or discretionary withdrawal or (iv) any other rights, claims, actions, defenses, set-offs, or recoupments to which Switch is or may be entitled to under any agreement, in law, or in equity, all of which rights, claims, actions, defenses, set-offs, and recoupments Switch expressly reserves.

Dated: September 11, 2024
Wilmington, Delaware

/s/ Michael J. Merchant

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-and-

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